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Attorney's Docket No. 034848/276723

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Bentley *et al.* Confirmation No.: 4382
Appl. No.: 10/813,601 Group Art Unit: 1711
Filed: March 30, 2004 Examiner Truong, Duc
For: STERICALLY HINDERED POLY(ETHYLENE GLYCOL) ALKANOIC ACIDS
AND DERIVATIVES THEREOF

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

I, Christopher M. Humphrey, am an attorney of record of the disclaimant, Neklar Therapeutics Al, Corporation (formerly Shearwater Corporation), and am authorized to execute this disclaimer on behalf of Neklar Therapeutics Al, Corporation. The disclaimant, Neklar Therapeutics Al, Corporation, having a principal place of business at 490 Discovery Drive, is the owner of all right, title, and interest in the above-identified application, by Assignment filed November 18, 2002, and recorded at Reel 013493, Frame 0913.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,737,505, issued May 18, 2004, entitled *Sterically Hindered Poly(ethylene glycol) Alkanoic Acids and Derivatives Thereof*, which patent was assigned to the above-identified disclaimant by an Assignment recorded November 18, 2002, at Reel 013493, Frame 0913.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,737,505, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,737,505 in the event that it later expires for failure to pay a

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maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,


Christopher M. Humphrey
Registration No. 43,683

Date: 3/18/05

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

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